IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2454 OF 2007
IN
FIRST APPEAL ST.NO.30209 OF 2006
IN
SPECIAL CIVIL SUIT NO.1180 OF 2003

The State of Maharashtra & Ors. .. Applicants

Vs.

Kisanrao Daulatrao Sonawane .. Respondent

Ms.G.P.Mulekar, A.G.P. for the applicants

Mr.S.S.Kanetkar for the respondent

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 28TH AUGUST, 2007

P.C.:

1. Heard.

2. We are not satisfied by the reasons stated in the application for condonation of delay and what we find is that the Law and Judiciary Department has taken approx. 6 months time to pass the necessary resolution for preparing the appeal.

3. In order to give a fair opportunity to the State, we are condoning the delay subject to cost of Rs.5000/- to be paid within a period of 4 weeks. The State shall recover the cost from the official who was responsible for causing the delay and shall not pay it from the public exchequer so that in future, the officials of Law and Judiciary Department will not be negligent in their conduct while dealing with the court matters. If cost is not paid, the application would stand dismissed without any further reference to this court.

(J.N. PATEL, J)

(A.A. SAYED, J)